IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 5TH SEPTEMBER 2007 / 14TH BHADRA 1929

WP(C).No. 25832 of 2007(A)

PETITIONERS:

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1. MR.B.VENUGOPAL,
REMA SADANAM, PONKUNNAM, NOW RESIDING AT THAMPU,
S.N. PURAM P.O., PAMPADY.

2. AJITHAKUMARI, W/O.B.VENUGOPAL,
HEALTH INSPECTOR, PALA MUNCIPALITY, PALA.

BY ADV. SRI.LIJI.J.VADAKEDOM

RESPONDENTS:

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1. KOTTAYAM DISTRICT CO-OPERATIVE BANK,
REPRESENTED BY ITS GENERAL MANAGER,
OFFICE OF THE D.C.B., KOTTAYAM.

2. DISTRICT TRANSPORT OFFICER,
KERALA STATE ROAD TRANSPORT CORPORATION,
PALA DEPOT, PALA.

3. KERALA STATE TRANSPORT CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
OFFICE OF THE K.S.R.T.C., THIRUVANANTHAPURAM.

4. SECRETARY,
PALA MUNCIPALITY,
PALA.

5. V.K.SANKARAN,
VALIYA UZHATHIL HOUSE,
MANARCAUDU P.O., KOTTAYAM.

R1 BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

R2 & R3 BY ADV. SHRI K. PRABHAKARAN, SC, KSRTC.

R4 BY ADV. SHRI V.M. KURIAN, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 25832 OF 2007 A

Dated this the 5th September, 2007

JUDGMENT

Petitioners are husband and wife. The fifth respondent availed a loan from the first respondent Bank. Petitioners are the sureties for the loan transaction. There was a breach. The first petitioner retired on 31.5.2007. Now the second petitioner is visited with attachment from her salary. Learned counsel for the petitioners prays that there may be a direction to the third respondent to pay to the first respondent the amount due to the first respondent from the DCRG payable to be first petitioner.

2. I heard the learned counsel appearing on behalf of the petitioners and also the learned counsel appearing for respondents 1 to 3. Counsel for the first respondent submits that the amount due from the petitioners is Rs.75,088/=. Having heard the learned counsel for the parties, the Writ Petition is disposed of as follows:

There will be a direction to the third respondent to pay to

the first respondent the sum of Rs.75,000/= from the DCRG of the first petitioner within a period of ten weeks from the date of receipt of a copy of this Judgment. Any amount above Rs.75,000/= remaining to be paid to the first respondent, shall be paid by the petitioners.

K. M. JOSEPH, JUDGE

kbk.